



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,029	08/28/2000	Shinji Kawano	NAKI-BM33	7644

21611 7590 01/15/2004

SNELL & WILMER LLP
1920 MAIN STREET
SUITE 1200
IRVINE, CA 92614-7230

EXAMINER

PHAN, TAM T

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 01/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/650,029

Applicant(s)

KAWANO ET AL.

Examiner

Tam (Jenny) Phan

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☒ Claim(s) 1-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. The effective filing date for the subject matter defined in the pending claims in this application is 09/08/1999.

Information Disclosure Statement

3. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 4, is attached to the instant Office action.

Specification

4. The disclosure is objected to because of the following informalities: "judgement" should read "judgment".

Claim Objections

5. Claims 1-19 are objected to because of the following informalities: "judgement" should read "judgment". Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 5, 14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Application 08272752 (Published 10/18/1996),

Art Unit: 2144

hereinafter referred to as '08272752, in view of Nakagawa et al. (U.S. Patent Number 6,061,056), hereinafter referred to as Nakagawa.

8. Regarding claim 1, '08272752 disclosed a reception display apparatus for receiving data blocks which are repeatedly transmitted from a broadcasting station at regular intervals and displaying a screen image based on the received data blocks, each of the data blocks including a data section, and data to be displayed as the screen image being divided into a plurality of data sections, the reception display apparatus comprising: a reception means for receiving the data blocks (Abstract); and a data judgment means for judging whether the data section in each received data block is normal (Abstract paragraph 2).

9. '08272752 taught the invention substantially as claimed. However, '08272752 did not expressly teach a reception display apparatus to include storage means for storing normal data section, condition means for judging display condition, and display means for displaying satisfied data sections on the screen image.

10. '08272752 suggested exploration of art and/or provided a reason to modify the display apparatus with the storage means, condition judging means, and display means features (Abstract paragraph 2).

11. Nakagawa disclosed a storage means for storing every data section judged as normal by the data judgment means without storing data sections judged as abnormal (Figures 11 and 16-17 sign S102-S103, column 6 lines 57-62); a condition judgment means [discarding unit] for judging, before all data sections to be displayed as the screen image are stored in the storage means, whether a condition for displaying the

screen image is satisfied (column 12 lines 19-29); and a display means for displaying, when the condition judgment means judges that the condition is satisfied, a part of the screen image using data sections currently stored in the storage means (Figures 9-10, column 6 lines 19-31).

12. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the storage means, condition judging means, and display means in order to minimize picture degradation (Nakagawa, column 1 lines 24-30) since the use of condition judging means ensure the amount of picture degradation caused by the data abnormality is slight (Nakagawa, column 6 lines 38-48).

13. Regarding claim 5, Nakagawa disclosed a reception display apparatus wherein the condition for displaying the screen image used in the judgment by the condition judgment means is that either (1) an instruction to display has been received from a user, or (2) the reception means has received data blocks including all data sections to be displayed as the screen image (column 5 lines 39-54, column 10 lines 49-60).

14. Regarding claim 14, the reception display method corresponds directly to the reception display apparatus of claim 1, and thus is rejected using the same rationale.

15. Regarding claim 17, the computer-readable record medium corresponds directly to the reception display apparatus of claim 1 and the reception display method of claim 14, and thus is rejected using the same rationale.

16. Since all the limitations of the claimed invention were disclosed by the combination of '08272752 and Nakagawa, claims 1, 5, 14, and 17 are rejected.

Art Unit: 2144

17. Claims 1, 5, 14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menard et al. (U.S. Patent Number 6,061,056), hereinafter referred to as Menard, in view of Nakagawa et al. (U.S. Patent Number 6,061,056), hereinafter referred to as Nakagawa.

18. Regarding claim 1, Menard disclosed a reception display apparatus for receiving data blocks which are repeatedly transmitted from a broadcasting station at regular intervals and displaying a screen image based on the received data blocks, each of the data blocks including a data section, and data to be displayed as the screen image being divided into a plurality of data sections, the reception display apparatus comprising: a reception means for receiving the data blocks (Figures 1-2, 8, and 14, column 2 lines 1-18, column 3 lines 29-49); a condition judgment means for judging, before all data sections to be displayed as the screen image are stored in the storage means, whether a condition for displaying the screen image is satisfied (column 2 lines 11-18); and a display means for displaying, when the condition judgment means judges that the condition is satisfied, a part of the screen image using data sections currently stored in the storage means (Figures 12-13, column 3 lines 29-49).

19. Menard taught the invention substantially as claimed. However, Menard did not expressly teach a reception display apparatus a data judgment means for judging whether the data section in each received data block is normal and a storage means for storing every data section judged as normal by the data judgment means without storing data sections judged as abnormal.

Art Unit: 2144

20. Menard suggested exploration of art and/or provided a reason to modify the display apparatus to include data judgment means and storage means for normal data section (column 3 lines 29-49).

21. Nakagawa disclosed a reception display apparatus comprising a data judgment means [decoder unit] for judging whether the data section in each received data block is normal (Figures 7, 11, 16, and 17, column 2 lines 21-24, column 5 lines 41-46, column 6 lines 57-62); and a storage means for storing every data section judged as normal by the data judgment means without storing data sections judged as abnormal (Figures 11 and 16-17 sign S102-S103, column 6 lines 57-62).

22. It would have been obvious to one of ordinary skill in the art at the time of the invention was include data judgment means and storage means for normal data section in order to better monitor broadcast signals (Menard, column 3 lines 50-65) since individuals could use these features to save time because items not of interest [abnormal data] could be filtered out by the data judgment means (Menard, column 3 lines 22-24, column 4 lines 2-17).

23. Regarding claim 5, Menard disclosed a reception display apparatus wherein the condition for displaying the screen image used in the judgment by the condition judgment means is that either (1) an instruction to display has been received from a user, or (2) the reception means has received data blocks including all data sections to be displayed as the screen image (Figures 7 and 14, column 2 lines 37-49, column 6 lines 39-46, column 9 lines 21-25, column 12 lines 55-58).

Art Unit: 2144

24. Regarding claim 14, the reception display method corresponds directly to the reception display apparatus of claim 1, and thus is rejected using the same rationale.

25. Regarding claim 17, the computer-readable record medium corresponds directly to the reception display apparatus of claim 1 and the reception display method of claim 14, and thus is rejected using the same rationale.

26. Since all the limitations of the claimed invention were disclosed by the combination of Menard and Nakagawa, claims 1, 5, 14, and 17 are rejected.

Allowable Subject Matter

27. Claims 2-4, 14-15, and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

28. The determination of display means displays either a blank or a notice indicating abnormality of the data section, at a position in the screen image where the data section indicated as abnormal by the information stored in the storage means should be displayed was not taught or suggested by the prior art of record.

29. Claims 6-13, 16, and 19 would be allowed if appropriate action is taken to address the claim objections above. The following is a statement of reasons for the indication of allowable subject matter: "A storage means for storing (1) the protocol information included in each data block received by the reception means and (2) data sections judged as normal by the data judgment means, the storage means not storing data sections judged as abnormal, and each piece of stored protocol information

Art Unit: 2144

showing correspondence to a data section from a same data block; a condition judgment means for judging, before all data sections to be displayed as the screen image are stored in the storage means, whether all pieces of protocol information for the screen image have been stored in the storage means; and a display means for, when the condition judgment means judges that all pieces of protocol information for the screen image have been stored in the storage means, displaying a part of the screen image using the data sections currently stored in the storage means and all pieces of protocol information stored in the storage means". These limitations were not taught or suggested by the prior art of record.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Furuya (U.S. Patent Number 6,452,943) disclosed a data server system includes a receiving unit to receive video data, a receiver monitors for judging an overflow, and a reception buffer to stores the video data.

b. Hunt et al. (U.S. Patent Number 6,501,472) disclosed techniques for transmitting graphical images in a network environment wherein the amount of data of the graphical images that is transmitted is customized in accordance with client and/or server supplied information. When a graphical image file request has been received from a web browser, the web server processing 1000 determines 1008 an image format and file size for the requested graphical image file. In effect, the determining 1008 customizes the graphical image file based on criteria such as user's conditions, server's conditions, user's request or author's preference.

c. Tsunoda (U.S. Patent Number 6,118,440) disclosed an image display system comprises a receiver to receive data, a change unit to change the display contents on the basis of the information received by the receiver, and a display unit.

Art Unit: 2144

d. Ueda et al. (U.S. Patent Number 6,339,786) disclosed a terminal device processing multimedia data distributed by a data broadcasting station comprises a receiver part, a storage device, a reference part, and a management part to handle the data in the storage device.

31. Refer to the enclosed PTO-892 for details and complete listing of other pertinent prior arts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (703) 305-9705. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jack Harvey

SPE

Art Unit 2142

703-305-9705


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER

tp

January 9, 2004